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Attorneys for Defendant Meta Platforms, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MAXIMILIAN KLEIN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

vs.

META PLATFORMS, INC., a Delaware
Corporation headquartered in California,

Defendant.

This Document Relates To: Advertisers' Action

Case No. 3:20-cv-08570-JD

**JOINT STIPULATION BETWEEN
ADVERTISER PLAINTIFFS AND META
PLATFORMS, INC. REGARDING META'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE NOTICE OF
SUPPLEMENTAL AUTHORITY AND
[PROPOSED] ORDER**

Judge: Hon. James Donato

JOINT STIPULATION AND [PROPOSED] ORDER

WHEREAS, Judge Castel of the Southern District of New York recently issued a decision in *In re: Google Digital Advertising Antitrust Litigation*, No. 1:21-md-03010-PKC (Sept. 13, 2022), Dkt. No. 308, dismissing claims that the Network Bidding Agreement between Google and Facebook was an unlawful restraint of trade under Section 1 of the Sherman Act. *See id.* at 20-34;

WHEREAS, Advertisers identify this same agreement in their Amended Complaint in connection with their Section 1 claim, and as part of a course of conduct that Advertisers allege violated Section 2 of the Sherman Act. *See* Advertisers' First Amended Complaint ¶¶ 16-19, 614-656, Dkt. No. 237;

WHEREAS, Meta believes that the *In re: Google Digital Advertising Antitrust Litigation* decision is pertinent additional precedent bearing on the pending motion to dismiss that was taken under submission on August 11, 2022;

WHEREAS, Advertiser Plaintiffs do not oppose Meta's Administrative Motion for Leave to File a Statement of Recent Decision;

ACCORDINGLY, Advertiser Plaintiffs and Meta, by and through their respective counsel, hereby stipulate and request that the Court grant Meta's Unopposed Administrative Motion for Leave to File a Statement of Recent Decision and order that Meta may file the Statement of Recent Decision in the form attached as Exhibit A to the Unopposed Administrative Motion for Leave to File.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

By: _____
Hon. James Donato
United States District Judge

1 DATED: September 14, 2022

Respectfully submitted,

2 By: /s/ Yavar Bathaee

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ATTESTATION OF SONAL N. MEHTA

This document is being filed through the Electronic Case Filing (ECF) system by attorney Sonal N. Mehta. By her signature, Ms. Mehta attests that she has obtained concurrence in the filing of this document from each of the attorneys identified on the caption page and in the above signature block.

Dated: September 14, 2022

By: /s/ Sonal N. Mehta

Sonal N. Mehta

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of September, 2022, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System.

By: /s/ Sonal N. Mehta

Sonal N. Mehta